

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NORMA ZABORNEY f/k/a	)	
NORMA PUGH	)	COURT FILE NO. 08 CV 3335
	)	
Plaintiff,	)	Judge LEFKOW
v.	)	
	)	Magistrate Judge NOLAN
DEBT BUYERS, INC. d/b/a	)	
FREEDOM CAPITAL	)	
	)	
Defendants.	)	

**RULE 68 OFFER OF JUDGMENT OF DEFENDANT**  
**DEBT BUYERS, INC. d/b/a FREEDOM CAPITAL**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant DEBT BUYERS, INC. d/b/a FREEDOM CAPITAL ("Defendant"), by and through their undersigned attorneys, hereby submits this Offer of Judgment ("Offer"), which offers to allow judgment to be taken against them and in favor of Plaintiff NORMA ZABORNEY f/k/a NORMA PUGH ("Plaintiff"), as follows:

1. Judgment shall be entered against Defendant in the amount of One Thousand and 00/100 Dollars (\$1,000.00), plus reasonable attorney fees and costs incurred by Plaintiff arising from Plaintiff's claims against Defendant as alleged in Plaintiff's Complaint in the above captioned matter.
2. The judgment entered in accordance with this Offer is to be in total settlement of any and all claims by Plaintiff against Defendant and/or potential claims against Defendant that could be brought by Plaintiff in this matter.
3. Notwithstanding the foregoing Offer, Defendant denies any wrongdoing or violation of state or federal laws, but admits liability for the sole purposes of settlement and

resolution of Plaintiff's claims sought in the above-captioned matter as described more fully herein. If Defendant's Offer is accepted, Plaintiff agrees to dismiss and release all claims she has or could have brought in this action against Defendant, which arise from the transaction and form the base of Plaintiff's claims, including the facts set forth in Plaintiff's Complaint in this matter, including any claims for costs, attorney fees, statutory penalties, damages and interest against Defendant.

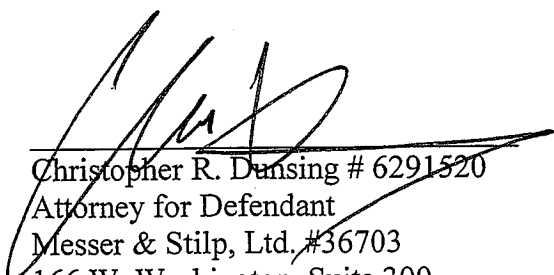
4. If Plaintiff rejects this offer, pursuant to Rule 68, Defendant may seek to recover any additional costs and disbursements incurred in the defense of Plaintiff's claims, then accrued at the conclusion of this case, if applicable. Also, Plaintiff must pay Plaintiff's own costs and attorney fees incurred after making this Offer, as well as the costs of Defendant. *See Payne v. Milwaukee County*, 288 F.3d 1021, 1024 (7th Cir. 2002); *O'Brien v. City of Greers Ferry*, 873 F.2d 1115, 1120 (8th Cir. 1989); *Jordan v. Time, Inc.*, 111 F.3d 102 (11th Cir. 1997).

Dated the 16th day of June, 2008

Respectfully submitted,

DEBT BUYERS, INC. d/b/a FREEDOM  
CAPITAL

By:

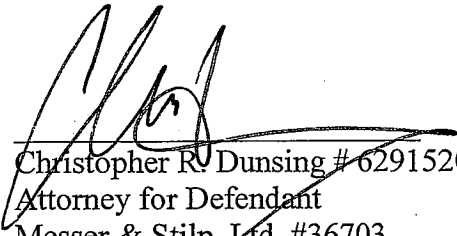


Christopher R. Dunsing # 6291520  
Attorney for Defendant  
Messer & Stilp, Ltd. #36703  
166 W. Washington, Suite 300  
Chicago, IL 60602  
(312) 334-FIRM (3476)  
(312) 334-3404 (Fax)

CERTIFICATE OF SERVICE

I, Christopher R. Dunsing, hereby certify that on June 16, 2008, a copy of the foregoing document was served via Facsimile and First Class U.S. Postal Mail on the following recipients:

Attorney for Plaintiff  
JONATHAN NACHSIN  
JONATHAN NACHSIN, P.C.  
105 W. Adams Street, Suite 3000  
Chicago, IL 60603



Christopher R. Dunsing # 6291520  
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**JONATHAN NACHSIN, P.C.**

105 WEST ADAMS STREET  
SUITE 3000  
CHICAGO, ILLINOIS 60603

JONATHAN NACHSIN  
ATTORNEY

PHONE (312) 327-1777  
FAX (312) 431-1456

VIA FAX (312-334-3404) AND U.S. MAIL

June 25, 2008

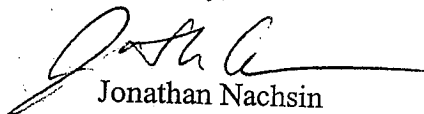
Christopher R. Dunsing  
Messer & Stilp, Ltd.  
166 West Washington Street  
Suite 300  
Chicago, IL 60602

Re: Zaborney v. Debt Buyers, Inc. d/b/a Freedom Capital, 08 C 3335 (N.D. IL.)

Dear Mr. Dunsing:

My client Norma Zaborney accepts your client's June 16, 2008 FRCP 68 offer of judgment in the amount of \$1,000.00 plus reasonable attorney fees and costs.

Sincerely,



Jonathan Nachsin

**\*\* Transmit Confirmation Report \*\***

P.1

NOONAN &amp; LIEBERMAN

Fax: 312-431-1456

Jun 25 2008 01:36pm

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**FAX COVER SHEET**

*Jonathan Nachsin, P.C.*

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<b>SEND TO</b>		
Company name	Messer & Stulp, Ltd.	From Jonathan Nachsin
Attention	Christopher R. Dunsing	Date 6/25/2008
Office location		Office location
Fax number	334-3404	Phone number

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## COMMENTS

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THANK YOU.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NORMA ZABORNEY,	)	
f/k/a NORMA PUGH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	08 C 3335
	)	Judge Lefkow
DEBT BUYERS, INC.	)	
d/b/a FREEDOM CAPITAL.,	)	
	)	
Defendant.	)	Jury trial demanded

**CERTIFICATE OF SERVICE**

Jonathan Nachsin, an attorney, certifies that he caused a copy of the NOTICE OF ACCEPTANCE WITH OFFER OF JUDGMENT to be served by mailing a copy to all parties on the attached service list, by depositing same in the U.S. mailbox, 105 West Adams Street, Chicago, IL, via first class U.S. mail, postage prepaid, on August 1, 2008.

/s/ Jonathan Nachsin

Jonathan Nachsin  
JONATHAN NACHSIN, P.C.  
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(312) 327-1777

Attorney for Plaintiff

SERVICE LIST

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